

## CONGRESSIONAL RECORD SUMMARY

Monday, January 13, 2003

### SENATE

#### Executive Communications:

\_\_\_\_\_ **EC-307.** A communication from the Staff Director, Commission on Civil Rights, transmitting, pursuant to law, *the report relative to state advisory committee being rechartered by the U.S. Commission on Civil Rights (Commission)*; to the Committee on the Judiciary.

Page S 229

#### Measures Introduced:

\_\_\_\_\_ **S. 146.** A bill *to amend titles 10 and 18, United States Code, to protect unborn victims of violence*; to the Committee on the Judiciary.

DeWine

Pages S 230, S 233-4

**S. 147.** A bill *to amend title 18 of the United States Code to add a general provision for criminal attempt*; to the Committee on the Judiciary.

DeWine

Pages S 230, S 234

**S. 148.** A bill *to provide for the Secretary of Homeland Security to be included in the line of Presidential succession*; to the Committee on Rules and Administration.

DeWine

Page S 230, S 234

**S. 149.** A bill *to improve investigation and prosecution of sexual assault cases with DNA evidence, and for other purposes*; to the Committee on the Judiciary.

DeWine

Pages S 230, S 234-36

**S. 151.** A bill *to amend title 18, United States Code, with respect to the sexual exploitation of children*; to the Committee on the Judiciary.

Hatch

Page S 230, S 236-45

"...I am proud to have Senator Leahy as the leading co-sponsor of the PROTECT Act. We jointly introduced an earlier version of this bill last year in the wake of the Supreme Court's decision in *Ashcroft v. Free Speech Coalition*. That decision greatly weakened the laws pertaining to child pornography and left some gaping holes in our Nation's ability to effectively prosecute child pornography offenses. We must now act quickly to repair our child pornography laws to provide for effective law enforcement in a manner that accords with the Court's ruling. The PROTECT Act strikes a necessary balance between the First Amendment and our Nation's critically important interest in protecting children..." (Hatch, page S 237)

"...First, the bill criminalizes the pandering of child pornography, creating a new crime to respond to the Supreme Court's recent ruling striking down the CPPA's definition of pandering. This provision is narrower than the old 'pandering' definition for two reasons, both of which respond to specific Court criticisms: First, the new crime only applies to the people who actually pander the child pornography or solicit it, not to all those who possess the material 'downstream.' **The bill also contains a directive to the Sentencing Commission which asks them to distinguish between those who pander or distribute such material who are more culpable than those who solicit the material.** Second, the pandering in this provision must be linked to 'obscene' material, which is totally unprotected speech under Miller..." (Leahy, page S 240)

### HOUSE

*The House was not in session today.  
Pursuant to the provisions of H. Con. Res. 8,  
the House stands adjourned until 2 p.m. on Monday, January 27, 2003.*

**New Public Laws:**

*S. 23, to provide for a 5-month extension of the Temporary Extended Unemployment Compensation Act of 2002  
and for a transition period for individuals receiving compensation when the program under such Act ends.  
Signed on January 8, 2003. (Public Law 108-1)*

*H.J. Res. 1, making further continuing appropriations for the fiscal year 2003.  
Signed on January 10, 2003. (Public Law 108-2)  
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**Next SENATE MEETING: Tuesday, 9:30 a.m., January 14, 2003.**  
**Next HOUSE MEETING: Monday, 2:00 p.m., January 27, 2003.**

**OLA: S. Schwarz, A. Santos**